have denied our title; but the Government never osition. This compromise bill, if assert for the first time, by this ent, a claim to the country on the east of the Rio Grande. It is drawn with the skill of a master in this respect. The 25th sec-

tion provides:

"Previous to the first election, the governor shall cause a census or enumeration of the inhabiants of the several counties and districts of the Territory to be taken; and the first election shall be held at such time and places, and be conducted is such manner, as the governor shall appoint and direct; and he shall, at the same time, declare the representatives to which each of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said coun cil districts, for members of the council, shall be declared by the governor to be duly elected to the council; and the person or persons authorized to council; and the person or persons authorized to be elected having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled. to which each county or district shall be entitled, shall be declared by the governor to be duly elected members of the house of representatives: Provided, That in case of a tie between two or more persons voted for, the governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place, and on tive assembly shall meet at such place, and on such day, as the governor shall appoint; but there-after, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the population, shall be prescribed by law, as well as the day of the the regular sessions of the commencement of t legislative assembly. In the first place, the provision is a strong implied

recognition of all the counties and districts as now regulated by the present military, and by the former departmental government which establish a boundary entirely exclusive of the claim of Texas. It authorizes the governor to take a census, to say how many and which of these counties and districts are in the Territory, and name the seat of government in the first in stance. It confers on this officer ample power to fix the boundary for all practical purposes in the first instance. After the first session of the legisacil, that body is given the power to establish the seat of government, and the counties and districts, and, as a matter of course, the right to declare the exterior boundary of the Territory. The faculty to do this, both in the governor and power of apportionment and regulation of is the establishment of a boundary for New Mexico, and a determination of the right against Texas, so far as it can be done by the legislation of Congress. With the Supreme Court of the United States, this law would be conclusive of the whole controversy. That court decided, in the cases of Foster, and Elam, Garcia and Lea, and the United States and Reynes-the the United States and Reyness
the present term—that it was controlled on quesdepartments of the Government, and would not of the case. Under the compromise, this firmly established rule would compel the court to decide the question of title against Texas, if it ever was brought before that tribunal. With the court, this bill would be conclusive of the whole contro-

the effect to deny or prejudice the title to Texas, or place it in any worse condition than it is at present. As a part of the Southern question, there ought to be an unconditional admission of the boundary of Texas, as she asserted it when present boundary, the South will be excluded from the whole country west of the Rio Grande, either under the non-action policy of the Presi-dent, or the non-intervention platform with the dent, or the non-intervention platform with the Mexican law; unless that law can be repealed, or a division of the territory effected. On this basis of non-action, non-intervention, or the compromise of Mr. Clay, there is nothing practical in s. With all these messures, this question, to the Seboundary of Texas. the practical result to the South is the same exclusion. Why, then, surrender the slave territory of Texas, and place it within the power of free

aoil?

If the object of the Compromise Committee of the Senate had been merely to settle the controversy, so as to accommodate the people of New Mexico with a separate political existence, it was Mexico with a separate political existence, it was not necessary to establish the boundary much below 360 30°. Santa Fe is in 350 44° 6", according to the control of Colonel Emory. At surprises me much; He says: ing to the observations of Colonel Emory. At 35° 30' there is a natural boundary presented by the configuration of the country; below that line, the valuable gold, silver, and copper mines are to copper mines are to e found on this side the river. is the country most valuable for slave labor, with exception, perhaps, of the mining district above. Up to about that line, I learn from an intelligent journeyed with Major Neighbors, the Texas com-missioner, the people submitted at once to the jurisdiction of Texas. He met with little or no opposition until he arrived at Santa Fe, where there are some four or fee hundred Americans, the want offices under a territorial or State Gov

Let the title of Texas be acknowledged by Congress-placed beyond contest-and I am willing Texas. I am willing to trust them to pass upon it, whether it meets my own views or not; but I shall oppose any scheme which, in terms or by tion. Congress shall not, even by interesce, assert a claim to it by aid of any vote of mine, because that would change the present status of

the legal question.

The Compromise bill is, in legal effect, a pres ent appropriation of the territory, if Texas withent appropriation of the territory, if Texas withholds assent, and a present sale as soon as she
assents. Now, sir, although I might be willing
to submit a proposition, the title of Texas being
first admitted, I am not willing to go beyond this.
The Legislature of Texas has placed all this disputed country in my district, and I do not understand that my mission here is to be fulfilled, on stand that my mission here is to be fulfilled, on my part, by a sale of half my district! The Legis-lature of the State has been in session since the proposition of Colonel Benton was first made, and took no action upon it. I have seen no develop-ment of public sentiment in Texas which looks like an approbation of any of these measures in their present shape. To this proposition for a purchase there are two objections which I will here notice. In denying practically the title of Texas, the compensation is offered to her only in Texas, the compensation is Texas, the compensation is offered to her only in the shape of hush money, and for the sake of peace. It goes on the hypothesis of buying off an un-founded pretension of title, and places Texas in this odious and humiliating attitude before the world. If the proposition was, in other respects, free from objections, the State, in my opinion would indignantly reject the offer, clothed in this insolent form. As a Southern measure, it presents the further serious difficulty that it so establishes the boundary as to preclude the idea of a cession, and, of course, substitutes the uncertainty of the Mexican for the certainty of the Texas law on the subject of slavery. It secures the ultimate division of New Mexico into two States, which will be free; and for which there would not be sufficient territory, but for this acquisition from Texas. It thus still further destroys the equilibrium between the slave and free States. It so reduces Texas as to leave room only for three instead of four slave

Much has been said, Mr. Chairman, as to the large amount proposed to be paid to Texas for this contemplated transfer of territory. The basis of the whole compensation is the payment of her public debt. And here again she is insulted, by being told that she cannot be trusted with the pay-ment of that portion for which her revenues from imports were pledged, but the bill makes a special appropriation of stock to discharge first that por-tion of the debt. Sir, the power of taxation, pro-perty, and the whole revenues of a nation, above the current support of government. the current support of government, are, in contem-plation of law, pledged for the public debt. It is a well settled principle of international law, that when one Government incorporates another country with it, the former is bound to the creditors whole debt of the latter. This Government is bound to the creditors, but not to Texas ander the articles of annexation. Texas does not call on the Federal Government to pay; she has appropriated the land, by an act of her last Legislature, offering land scrip to her creditors at fifty cents per acre, to be located in any part of her wide and magnificent domain. This is all she is able to do; and a better payment of a revolutionary debt was never made before by any government. It preserves her honor untarnished—her faith spoiless and unimpaired. If there is any money because pressing upon any one in connexion obligation pressing upon any one in connexic with this business, it is upon this Government on this Government, of annexation. At the time of Texas, with the lowest tariff in the world, was prospering with brilliant commercial

prospects; and by this time, with a separate existence, her revenue would have defrayed the cur-rent expenses of her Government, and paid the interest of her national debt.

Let me ask, sir, what will be the great gain to

Texas, as a State, by the payment of this money? Her creditors are principally non-resident brokers and stockholders, very worthy people, no doubt, who ought to be paid, but whose money would not come into the State. If Texas were to transfer all the public lands north of El Paso to her creditors that sightly millions of stars it would tors, more than eighty millions of acres, it would tors, more than eighty millions of acres, it would be a magnificent payment. It would pay the debt at ten cents per acre. What, then, does she get for the sale of her civil jurisdiction. If the public domain is worth more than the debt, which is clear, why does not this Government take the pub-lic domain within that line, instead of insisting on

the transfer of the jurisdiction?

The value of that country, in an agricultural point of view, is greatly underrated. The good land is much more extensive than is generally represented. And from all the information I can obtain, it is nearly, if not quite, as rich as California in mineral wealth. I saw the other day in
a paper a statement that those who have been
working her placers during the past winter have
realized from ten to fifteen dollars per day. Lieuit, and do not set up any claim beyond it. They a paper a statement that those who have been working her placers during the past winter have realized from ten to fifteen dollars per day. Lieutenant Abert, of the engineers, who explored the country, says that not long since two lumps of gold were found below Santa Fe, one of the value of \$900, and the other \$700. Dr. Wizlezenus, a cientific German priper, who expanded the country. cientific German miner, who examined the coun-try, thus describes its mineral wealth: "A third much neglected branch of industry in

New Mexico are the mines. Great many now deserted mining places in Mexico prove that mispanish times than at present, which may be accounted for in various ways, as the present want of capital, want of knowledge in mining, but especially the unsettled state of the country and the parts of New Mexico are very rich in gold, copper, iron, and some silver. Gold seems to be found to a large extent in all the mountains near territorial government or otherwise, an attempt Santa Fe, south of it in a distance of about 100 miles, as far as Gran Quivira, and north for about 120 miles up, to the river Sangre de Cristo. Throughout this whole region gold dust has been abundantly found by the poorer classes of Mexicans, who occupy themselves with the washing of the mountain streams. At present the old and the new placer, near Santa Fe. have attracted most attention, and not only gold be shown by documents in existence washes, but some gold mines too, are worked archieves of Chihuahua and El Paso. B

the only gold mines worked now in New Mexico.

But as I have made from Santa Fe an excursion there for the special purpose of examining those mines. I must refer the reader, in relation to them, unable to give even an estimate; but as nearly all the gold of New Mexico is bought up by the traders, and smuggled out of the country to the United States, I believe that a closer calculation of the thence, so far as I could discover, due east to gold produced in New Mexico could be made in the Pecos. From the Sierra Capital, I could not Mexico itself. Several richs ilver mines were, in n the Nambe mountains, but none at present. Copper is found in abundance throughout the country, but principally at Las Tijeras, Jemas, Abiquin, Guadelupita de Mora, &c. I heard of one copper mine worked at present south of placers. Iron, though also abundantly found, is entirely overlooked. Coal has been discovered in different localities, as in the Raton mountains, near the village of Jemes, southwest of Santa Fe, in a place south of the placers, &c. Gypsium, common and selenite, are found in large quantities in Mexico; most extensive layers of it, I understood, exist in the mountains near Algodones, on the R del Norte, and in the neighborhood of the celebrated "Salinas," It is used as common lime for whitewashing, and the chrystalline or selenite instead of window-glass. About four days travelling (probably 100 miles) south southeast of Santa Fe, on the high table land between the Rio del Norte and Pecos, are some extensive salt lakes, or "salinas" from which all the salt (muriate of soda)

the Rio Grande, commencing about therty miles south of the city of Santa Fe.

In connection with the boundaries of New Mexico, I feel consequent to notice a speech of the Senator from Missouri, (Colonel Benton,) which

boundary of New Mexico; and his map illustrates what he says. He places that boundary, as leaves the Rio Grande del Norte, at ab twelve miles below the mouth of the Puerco, in west longitude 104, and in north latitude 291, and in north latitude 320 15', and in west longitude 101. This is the line he gives as found in the epecial maps drawn up by engineers in the service of the King of Spain, and preserved in the ar-chives of the Viceroyalty in the city of Mexico. Further than that he does not trace it: but that is fer enough for our purpose. It is enough to show that New Mexico, under the Spanish Government, extended as far east as 101 degress of longitude, covering the whole course of the Puerco, and enwhat is now the country of Bexar, in

"So much for Humboldt; Now for Pike He says, at page 5 of his appendix to the journal of his journey through New Mexico: 'New Mexico lies between 300 30' and 440 of north latitude, and 104 and 108 degrees of west longitude, and is the most northern province of the kingdom of New Spain.

I proceed with the possession of New Mexico, and show that it has been actual and continuous from the conquest of the country by Don Juan de Onate, in 1595, to the present.

Onate, in 1595, to the present.

"These are the actual possessions of New
Mexico on the Rio Puerco. On the Rio Del the little town of Frontern, ten miles above El Paso, a town began opposite El Paso, San Eliza-rio, twenty miles below, and some houses lower down, opposite El Presidio del Norte." Such are the statements of the honorable Sena-

tor as to the present boundaries and present pos-sessions of New Mexico; and if made by one of the younger members on this floor, he would sink down under the imputation of gross ignorance of his subject, or a wilful intention to misrepresent the "truth of history," and do injustice to a just claim. Further on, he says: "The map of Dr. Wislizenus, which I now pro-

duce, agrees with Humboldt and Pike, except in the correction of slight differences in longitudes and latitudes, which his accurate instruments ena consequence in this examination.

the man of Wislizenus does not profess delineate with accuracy the civil divisions, as the Senator well known; but, at page 40 of his work, he gives the southern boundary of New Mexico, as it now exists, as follows:

"The settlement of El Paso was commenced about 1680, when Governor Otermin, of New Mexico, and his party were driven from Santa Fe to the south by a revolt of the Indians. Some Indian pueblos, which received them well, already in the fertile valley; but this seems

have been the first Spanish settlement.
"El Paso belonged, under the Spanish Govern ment, to the province of New Mexico; at present, to the State of Chihuahua. The latter claims, as its northern limits, towards New Mexico, as already stated, 32° 30' latitude north, a line which by Mexicans is supposed to fall near Robledo, our first camp on the river in coming out of the Jormada. El Paso itself, according to my own observations, lies in 310 45' 50" north lati-

Was it quite candid in the honorable Senator to exhibit the map of the author in opposition to

Upon the subject of the civil divisions of New Mexico, Lieut. Abert procured from the State Department in Santa Fe, and published in his re-port, the following decree circulated by the governot of that department, issued in 1844, and extracted by the departmental assembly, and which has the force of law in Mexican jurisprudence:
"Marino Martinez de Lejazo, brevet brigadie general, and constitutional governor of the depart-ment of New Mexico, to its inhabitants, sends greeting, that the assembly of the department has greed to decree the following:

" South-eastern district, "Art. 9. This district is divided into two coun-

Lentez, Zuni, Acoma, and Rito. County seat,

"JUAN BAPTISTA VIGILY MARIS, Secretary.
"By virtue of the premises, that this act be ublished, circulated, and made known to all whom

"Palace of the Government, Santa Fe.
"MARIANO MARTINEZ. Jose Felix Jubia, Secretary.

Now the most southern of these towns on the east bank of the Rio Grande, Parida, is placed on the accurate map of Abert, north of degree 34, and the most southern on the west side, Luis Lopez, a few miles south of that line. All south of that is left out of the jurisdiction of New Mexico, for the plain reason that this department had no claim to it under the Mexican organization. This de-

say:
"Sec. 7. Until the legislative power otherwise direct, the territory of New Mexico shall retain the division of counties and districts established by the decree of the department of New Mexico, of

This shows that the people of New Mexico not only have no possession, but assert no claim below the 34th. And yet the Senator claims all

entitled to a separate existence, either under a territorial government or otherwise, an attempt will no doubt be made to establish her southern boundary sowewhere in the vicinity of El Paso, as it has been laid down on almost all the maps published in the United States, and tacitly recog nised by Mexico in the treaty of Gun where reference is made to Disturnell's map as a correct authority. This, however, is far from being the true boundary of New Mexico, as can t appears that the line crosses or leaves the eas bank of the Rio Grande at a point in front of the mountain (designated as one of the landmarks) which forms the southern limit of the "Jornada Thence it runs in a direction little north or east to the "Cerro Redondo, markable dome-shaped mountain; thence, almost in the same direction, to the "Sierra Capital," or the most prominent peak in that region of country ascertain that there existed any prominent land-mark, though it is probable, if I could have pursued my investigations further, some such would pursued the same system in public as in private affairs, of making natural objects the indications of session a copy of a grant of land made within the jurisdiction of the State of Chihuahua in the time of the Emperor, under the colonization law of the "Junta Constitucional" of 1823. This land lies ome distance above the line slaimed by New Mexico, and has always been acknowledged as

belonging to Chihushua.

The people of New Mexico, in their plan of a territorial government, or rather instructions to their delegate, Mr. Smith, have declared that they Col. Benton admits, that Texas owns territory there which is not in dispute, but says it is a narrow strip, New Mexico extending to the 101 parallel of longitude, and again cites Humboldt, and again his author contradicts him, and shows that New Mexico is the narrow strip. According to Black's translation, Humboldt says of New Mexico:
"This province is from south to north 175 leagues used in New Mexico is procured. Large caravans go there every year from Santa Fe in the dry season, and return with as much as they can transport. They exchange, generally, one bushel and from east to west from 30 to 50 leagues of salk for one of Indian corn, or sell it for one and even two dollars a bushel."

This vast mineral wealth will be developed by an American population, and especially slave labor.

The richest of these mines are on the cost bank of

> It is but justice to Humboldt to say, that as to latitude and longitude, he followed the Spanish geographers, whom our own engineers of the army on observation found to be extremely inaccurate. For instance, they place Santa Fe on their maps north of 36° 30°, whereas Col-Emory shows that

it is nearly a degree south.

Muchlenport, a German, who was 8 years it
Mexico, and published his work in Hanover it 1844, gives the 1050 37, as the eastern boundary of Mew Mexico. This would extend far beyond the actually inhabited part in the most prosperous days of the province; and it is well kn the bounds of their provinces much beyond the line of their settlements. Although the authors disagree about the latitude and longitude of the boundaries of this province, they all concur that it was a narrow territory, confined to the valleys of the Rio Grande and the Pecos. But the Missouri Senator seems to reject as superfluous all law since Tucker's Blackstone, which he produced flour Tucker's Blackstone, which he produced, flour ished aloft, and rend the title to the Senate, and

all geography since Humboldt, which he said he had in French, but would not exhibit in open Senate out of pure mercy to Mr. Clay.

The objects of Col. Benton, in this misrepresentation of history and geography, are quite transparent. He wishes to recommend himself ransparent. He wishes to recommon against ohis new allies, the Freesoilers, by proving against the feet, that this slave territory is within what the fact, that this slave territory is was, at the close of the war, a free province, and was, at the close of the war, a free province, and urge upon the Government to retain the possession in opposition to Texas. He also desires to deprive Texas of the El Pass country for another motive. The altitudes returned by Col. Fremont, in his regions to the Pacific, prove that by that route the stationary power will be so great that his favorite route is altogether impracticable. The road must come south, and leave the Rio Grande in the neighood of El Paso, which is in the United State the overland key to the Pacific—a southern key which Texas will never place in freesoil hands, not even in the grasp of the Senator from Missouri. The truth is, that so long as Texas holds her territory, cality of the railroad to the Pacific. This, Col. Benton sees clear enough, and therefore offers 15 millions for the territory embrac-ing El Paso. But this road is worth more to Texas. not only than 15, but fifty millions. If properly located it will be her road to wealth, greatness,

It is not my purpose to enter again into the ar-gument as to the title of Texas to the source of the Rio Grande. I shall content myself with repeating, briefly, some of the most prominent facts in the history of the title. It rests, 1. On the treaty with Santa Anna, in 1836, which is a good treaty, because ratified by his generals, who were not prisoners of war; and Filisola had power to not prisoners of war; and rilison and power to treat by express authority of his government; and Mexico having taken the benefits of the treaty, could not, under the law of nations; repudiate it. 2. On the act of the Texas Congress of December, 1836, under which her independence was acknowledged by the United States and the other powers, all of which are by that recognition, estopped from denying her boundary. It was an essential element of her nationality.

3. The convention between this Government

THE TITLE OF TEXAS.

nd the Republic of Texas of 1838, carried out by the act of the United States Congress of 1839. makes the former boundary between the United States and Mexico the future boundary between the United States and Texas which is the verboundary of the Texas act of 1838 and the treaty

with Santa Anna. The convention declares: The treaty of limits, made and concluded on the 12th day of January, 1828, between the United States of America on the one part, and the United Mexican States on the other, is binding upon the Republic of Texas, the same having been entered to at a time when Texas formed a part of United States; and whereas it is deemed pro-per and expedient, in order to prevent future dis-putes and collisions between the United States and Texas, in regard to the boundary between the two countries, as DESIGNATED by said TREATY, that A PORTION of the same should be run and marked

without unnecessary delay," &c.
It was then provided that commissioners "should proceed to run and mark that portion of the said boundary which extends from the mouth of the Sabine, where that river enters the Gulf of Mexi-

Sabine, where that fiver enters the Guil of Mexi-co, to the Red river."

The convention further provided, among other things, "And that the remaining portion of the said boundary line shall be run and marked at such "Art. 10. The county of Valencia comprises to the Constitution of their Valencia, San Fernando, Tome, Socoro, Limitar, Polvaderas, Sabinas, Elames, Casa, Colerada, Cibolette, Sabino, Parida, Luis Lopez, Belen, Lunes, Congress of 1836. It is a clear and express recognical and the contraction of the diction of the Government over that question of the Country, they should shield themselves under authority. It makes the Government a party to acquire, instead of an agent to adjust. It arrives are contracting parties," &c. The convention was boundary. It is effect denies the special limited authority. It makes the Government a party to acquire, instead of an agent to adjust. It arrives are contracting parties, and con

nition of the whole boundary of Texas, of equal dignity with a treaty. The opponents of the Texas title always remember to forget this compact. In the celebrated case of Rhode Island and Massa-chusette it was held to the the constant of the other. In short, it is quite the constant of the other. In short, it is quite the constant of the other. In short, it is quite the constant of the other. husetts, it was held that where States once agreed mentioned in a compact as boundary, it was ruled o mean the river in its whal on a line it was binding, and when a river to mean the river in its whole extent. The rule applies with much greater force in this instance. applies with much greater force in this conven-if there were nothing in the case but this conven-tion, it would be forever conclusive against the

tion, it would be forever conclusive against the United States.

4. Pending the negotiation for annexation, the Secretary of War instructed General Taylor, by order of the 15th of June, 1845, which was in sustance repeated on the 30th of July:

"The point of your ultimate destination is western frontier of Texas, where you will select and occupy, on or near the Rio Grande, such a site as will consist with the health of the troops, and will be best adapted to repel invasion, and protect what, in the event of annexation, will be our western border."

Rio Grande country in the name of Texas, assert-ing it as the frontier of that State.

5. It is well known that Mr. Donaldson, pend-

ing the negotiation of annexation, and during the session of the Texas convention which consum mated it, gave repeated assurances to the authori-ties of Texas that the United States would not only ecognize, but maintain, the title of Texas. his letter to this Government of the 11th of July 1845, he says:

"The boundary of Texas, as defined by he statutes, runs up the Rio Grande from its mouth, in the sea, to its source, cutting off portions of Tamaulipas, Coahuila, and New Mexico. Above the point on the Rio Grande, where it enters New Mexico, there has been no occupancy by Texas and it is obvious, so far as that region is concerned, no military movement could have taken it out of the category in which it is left by the terms of our joint resolution. So, whatever may have been the success of the attempt to drive the Mexicans from Loredo and other lower points, the difficulty would have remained the same in regard to the extensive Santa Fe region above.

"But, while from such views I encouraged no

"But, while from such views I encouraged no aggressive movement on the part of Texas to take forcible possession of the Rio Grande, I have nevertheless omitted no opportunity of satisfying all parties here that the United States would in good faith maintain the claim, and that I had every reason to believe they would do so successfully."

Such were the solemn assurances and pledges of this Government, they will be according to the control of the contro

his Government, through its accredited minister pending the negotiation. They are a part of the compact, and prove conclusively its intent and meaning. Can this government disregard them 6. It has been said that the United States con-

quered New Mexico, and held it by title of con-quest. Such is not the fact. General Kearney, his first speech to the people of New Mexic August 15, 1846, at Vegas, as found in Emory port declared : "Mr. Alcalde and the people of Mexico :

"I have come amongst you, by the orders of my Government, to take possession of your country, and extend over it the laws of the United States. We consider it, and have done so for sometime, a part of the territory of the United States. We come amongst you as friends, not

as enemies; as protectors, not as conquerors.
We come amongst you for your benefit, not for your injury."
What was this but an assertion of the Texas
What was this but an assertion for some time a title, and how else had it been for some time a part of the territory of the United States? The President of the United States admitted, on applition of the Governor of Texas, that the States held the country in subordination to the title of Texas. This appears by his special mes-sage of July, 1848, in which it is quoted as fol-

"In answer to a letter from the Governor Texas, dated on the fourth of January, 1847, the Secretary of State, by my direction, informed him in a letter of the 12th of February, 1847, that in the President's annual message of December, 1846 You have already perceived that New Mexico is t present in the temporary occupation of the coops of the United States, and the government t present in the over it is military in its character. It is merely such government as must exist under the laws of na ns and of war, to preserve order and protect the rights of the inhabitants, and will cease on the conclusion of a treaty of peace with Mexico. Nothing, therefore, can be more certain than this temporary government, resulting from necessity, can never injuriously affect the right which the President believes to be justly asserted by Texas to the whole territory on this side of the Rio Grande, whenever the Mexican claim to it shall be extinguished by treaty."

Without a violation of all law and justice, this possession cannot now be set up against Texas.

session cannot now be set up against Texas.

The title of Texas was asserted by the declaration of war by Congress, that a state of war existed by Mexico, which consisted only in Mexican oldiers crossing the Rio Grande and committing is to change the character of the war into one of aggression and conquest, and bring unmerit

reproach upon the country.

8. Pending the negotiations for peace with Mexico, our commissioner, Mr. Trist, asserted the Texas title, and said: "Until ascertained by a mpact or agreement, definitive or provisions tween the United States and Mexico, the bou dary between the two republics, when considered by the United States with reference to the national bligation to protect their territory from invasion was carried into the treaty with Mexico by attachwas carried into the treaty with Mexico by attaching to the treaty, and making a part of it, a map
which conformed exactly to the claims of Texas,
and placed New Mexico on the west bank of the
Rio Grande. This is absolutely conclusive of the
question. It was the intention of Mexico, in this
treaty, to redeem her faith pledged to Texas in the treaty of 1836, as appears by the declaration of her commissioners, who negotiated the treaty with the United States in their address to their

ountrymen.
"The intention (say the commissioners) making the Bravo a limit, has been announced b the clearest signs for the last twelve years; and would have been impossible at the present day to change it. After the defeat of San Jacinto, in April, 1836, that was the territory which we stipulated to eracuate, and which we accordingly did evacuate, by falling back on Matamoros. In this place was after-wards stationed what was called the army of the North; and though it is true that expeditions and incursion have been made there even as far as Bojar, we have very soon retreated, leaving the intermediate space soon retreated, leaving the intermediate space lutely free. In this state General Taylor found

absolutely free. In this state General Taylor found it, when, in the early part of last year, he entered there by order of his Government."

9. Texas being admitted into the Union with certain and specified boundaries, Congress has no more power to legislate upon or disturb them than those of any other State, any further than it is given by the resolutions of any analystics. given by the resolutions of annexation. Congress has no more power over the boundaries of a State of the Union than those of a foreign State. This is the settled doctrine of the country, and was asserted even by Col. Benton, in debate in the Senate, on the 14th May, 1844, he said: "The Republic of Texas acts by its name, and passes itself to us in the whole extent of all the limits and ndaries which it asserts to be its own.'

In his remarks on the joint resolutions for the annexation of Texas, February 5, 1845, Colonel Benton declared, "In fact, when once admitted as State, she can never be reduced without her consent. The Constitution forbids it." This was his construction of the compact of the resolu-

ions of annexation.

This compact gave to this Government but one power, that of negotiating the boundary with Mexico. That power would have been extinguished the possibility of the possibility. guished by the treaty in removing the possibility of a question of boundary with Mexico, if the guished by the treaty in removing the possibility of a question of boundary with Mexico, if the treaty had been silent on the subject. But the treaty settled the question by embodying an authentic map, which expressly recognises the boundary as asserted by Texas. This right while it existed could only be exercised in a particular state of the contraction of the contractio cular manner, that is, by the treaty-making power.

It did not pertain to Congress.

10. It is quite preposterous to assert that the United States, while acting as the negotiator and trustee of Texas, could have acquired the subject matter in opposition to the title of Texas, either or otherwise. To impute such as intention to this Government is to charge it with an act which a court of equity holds to be the worst species of fraud. It never permits the agent or trustee to buy or deal in opposition to the principal or beneficiary. It has been asserted that the United States,

under this power to settle the boundary of Texas with "other governments," was no more the proves too much. It maintains, that the Government has a general power over the subject of State compact of annexation did not enlarge the juris-

absurd to suppose that the United States could purchase and succeed to the rights of Mexico to this contested boundary without the consent of Texas. This Government did not relinquish any of the boundary of Maine without the consent of that State, although Great Britain was in actual adverse possession. Was any one so obtuse as to assert that the United States could acquire it is

opposition to Maine?
11. The resolutions of annexation, in terms, fix the boundary with mathematical precision as to all the country south of 36° 30°, and sufficien north of it for at least one State. They provide for new States, and declare, "And in such State or States as shall be formed out of said territory north of said compromise line, (369 30',) slavery or involuntary servitude (except for crime) shall e prohibited

This is a declaration that the country north that line, sufficient for a State, belongs to, and is rightfully included within, the limits of Texas A title with such a boundary would be sufficiently certain to authorize a recovery in ejectment tween private litigants. A surveyor could go upon the ground and set up the metes and bounds. As to all below 36° 30', it is utterly impossible that there can be any dispute abou lines. In his speech of yesterday, Col. Benton

says:
"The Missouri Compromise line was a curtailment of slave territory; the Texas annexation

esolutions were the same."

How could the Texas resolutions be a curtailment of slavery, if the country which she claimed north of 36° 30' was not her territory by right? That the intent was to admit Texas with the oundaries claimed by herself, subject only to the right of adjusting them with others, is further the right of adjusting them with others, is further demonstrated by the provision of the resolutions that the State "shall also retain all the vacant and unappropriated lands lying within its limits, to be applied to the payment of the debts and liabilities of said Republic of Texas; and the residue of said lands, after discharging said debts and liabilities, to be disposed of as said State may direct." What limits had the Republic, but those she set up und asserted by her own politica action? It is obvious that the reference is to action?

action? It is obvious that the reference is to them and no other, especially when all the pro-visions are taken together.

Mr. Chairman, Texas is strong in the legal force and justice of her claim. She will be strong in the sympathy and support of the South, for the precedent which would permit Congress to appropriate any portion of her territory to free soil, would open the flood-gates of Abolitton upon the institutions of every Southern State within the the institutions of every Southern State within confederacy. I am quite certain that, but for this sectional question, her title never would have been the subject of contest.

> For the " Southern Press " "FIGURES AND FACTS."

In a late number of the Republic, a let ter is published from a distinguished citizen of the North, giving some of the reasons for the rapid growth of Abolitionism-among which the most prominent is the repeal of the Tariff Act of 1842, and in its stead the substitution of the act of 1846. I am not surprised that any Northern man may endeavor to excuse his people for the position they now occupy upon this question of slavery. But I am surprised that any "distinguished" man, North or South, should give such a reason for this mighty change that has come over the public mind, in that section of the confederacy, on this vital will adopt Mr. Clay's. Now, there are in 1848 wholly abolished by the Provisional Govquestion. I am not surprised that a partizan Southern men, who are patriots, whose love editor should endorse any and every thing to bolst-r up, even a false position, into which he has been thrown by circumstances. But I am astonished that an intelligent Southern serve it than others would-and there are gentleman should be so little conversant with Southern supporters of Mr. Clay's plan who his country, as to be gulled by a duplicity so so bad as others think; but we don't believe shallow and a conclusion so inconsistent with facts. I do not pretend to insist upon any particular cause for this change in Northern sentiment-but I do assert, without fear of North to deny justice to the South, and assuccessful contradiction, that if the Northern sure the North of Southern support in so people have changed their opinions upon doing! what are the rights of the South on this question of slavery, because they, the South, have repealed the Tariff of 1842, they ex-Northern man as wrote the letter to which

I have referred. But admitting that the fact existed, that ern party connection. another imposing less duties-and that in the vote doing this, the South (though in a oving patriot can be found, who will assert that this is sufficient reason for interfering of Justice at with the rights of property guaranteed by the sacred instrument that binds us as one confederated republic? The absurdity of impose upon the majority as to break down a system under which they assert they have prospered, and institute another under which some of the manufacturing districts as to serving it. cause a suspension of their shops and furnaces, is so ridiculous that the bare statement is a successful refutation. But is it, if true, spirit of the Constitution, and if it provokes exhibit a want of principle equalled only by the want of wisdom in a Southern editor in becoming the apologist for such a reason. If the South is to be met with such arguthey are paraded in our public journals, and her own overthrow. endorsed as coming from distinguished men. I confess that I see little hope of effecting our constitutional rights through the understanding. But enough-it is a useless undertaking to try to convince men by any line affords, and thus to give peace to the and pistols for two," will soon be in requisipowers of reasoning upon such an absurdity, country, why let the North abandon her tion; and that little agent which, 'makes all and I will apply myself to the power of lofty and loud pretences of love for the men tall alike," be brought in to level the

In the House of Representatives, an Act reducing the duty on imports and for other purposes, generally known as the Tariff act of 1846, was passed by the fellowing vote: skilful and experienced correspondent at clders, male and female, who abhor the duyeas 114 nays 95—out of the 114 yeas, 64 Baltimore, who will give us a letter from ello, may interpose to bind over the belligewere from the slaveholding and 50 from the that point, daily, anticipating the Northern rents to keep the peace, and mere ink flow of an equal division, and yet men are found news by the regular mail. Arrangements instead of blood. The whole affair would be who can assert that the change in Northern have also been made to obtain by telegraph of little consequence, were it not that the sentiment upon the slavery question has been all important and interesting news. produced by this act of sixty-four Southern men voting to reduce the duties on imports.

In the Senate, the vote stood year 28, nays 27-among the yeas, 10 were from the non-slaveholding and 18 from the slaveholdvision. Thus it will be seen that if " distinguished" Northern men wish to give a good reason for the degeneracy of the times and their apostacy from the Constitution. they must seek one more in consonance with works. Figures and Facts. They must plant themselves on higher ground, and if they persist in violating all the principles of justice, and doing violence to the Constitution of their

PRESS.

CITY OF WASHINGTON. MONDAY, JUNE 24, 1850.

Mr. Soule's Substitute for the California

The Substitute divides California by the Missouri Compromise line, extended to the Pacific-remands her constitution back to an ordinance saving the public domain from Free Soil paper, the New York Evening forfeiture and escheat, and organizes a new territory upon the Pacific coast, to be called "South California, &c.

We learn that this substitute is the order of the day in the Senate, for 12 o'clock this day, the 24th inst .- and that Senator Soule, of Louisiana, has the floor.

As the Missouri Compromise line stretched to the Pacific, is that line of adjustment firmation of "the harmony and unanimity" which the universal South greatly prefers at in which the two races can dwell on a platthis time to all others, as it is the ultimatum of the Nashville Convention, and will probably have the support of every Southerner, this issue, the debate on it will doubtless at- Indian Emancipation. tract a larger and more anxious interest than any other discussion upon the great question has brought forth.

"We understand that Mr. Soule will bring forward his proposition about the Missouri line on Monday. We anticipate a powerful speech in its ward, being perfectly willing to accept that mode of adjustment, if it can be obtained. At all events, we are anxious to see it tested—that if, according to our expectation, it cannot succeed, we may see the Southern Senators rallying upon we may see the Southern Senators rallying upon some other mode of compromise which may settle the question. We adopt neither the Missouri Compromise nor the Senate Bill as a sine qua non. And may we not hope that some of the Southern Senators will, in case of defeat, adopt the other alternative, to give peace to the country."—Union.

Now, is not this too bad? The Union admits the Missouri line to be more just and equitable than Mr. Clay's plan—for the Union rejoices that the Missouri line is brught forward, and is perfectly willing to the North to reject it and to forestall an eloquent advocate of Southern rights, the Union expresses, the hope that when the South is of the Union of these States is such as to induce them to make more concessions to preduce the more concessi the past history of the recorded legislation of think it is better for the South, or rather, not among them all, one man could be found who would thus publicly encourage the

This is the most startling instance of subserviency to desperate party schemes or parhibit a degree of credulity that could have ty leaders we have yet seen; and we ask the been imposed only by some such distinguished South to behold the price she is required by one party organ to pay to maintain a North-

constitutional prerogative altered, amended the object of the sacrifice, thus prematurely or repealed the revenue act and substituted proposed, is to give peace to the country. But is there no love of peace, or of Union minority) voted down the North and im- strong enough in the Northern portion of posed this scheme upon them-can it be the party, that its organ, the Union, will not possible that any intelligent, constitution or dare not call on it for so slight a measure of justice as the Missouri line, for the sake

Is the love of the Union, at the North, of which we have heard so much, so weak as the proposition that a minority should so far to yield to the lust of territorial aggrandizement? And is to be one of the stipulations of union between the Northern and Souththey say they are suffering, by the the utter ern elements of one great party—that the stagnation of business, to such a degree in South alone is to pay the expenses of pre-

There are gentlemen at the North wo know that the South now claims no more good cause for the Northern people to act than what is right. If left to themselves, in as bad faith as they have been doing on they would vote accordingly. But they this question of slavery? To reduce the tell us their constituents would desert them tariff is certainly not inconsistent with the for so doing. We don't agree with them in our Northern brethren to "breathe out that. It would only be necessary in that threatnings" against the institution of sla- event, for the two great parties at the North very on that account and that alone, they to make truce, to unite and put down the Abolitionists, instead of begging and bidding against each other for such votes, as they are now doing, and trying to make ments for the conduct of the North, and the South pay the price of such bids, and of

But if not-if there are not enough in the nated. North, of both parties, to render the measure of justice to the South which the Missouri

We have secured the services of a

day's proceedings of both Houses of Con- made the theme of public comment. Men's gress, prepared by one of the ablest Re- broken heads are easily mended; not so the porters in the city, will also appear daily, in spotless purity of woman's good name, "the ing States, within four votes of an equal diresting debates. We will not deal in pro- do we regret this collision-caring nothing mises as to what we intend doing-but will for it on any other account. leave the public to judge us according to our

> 83-Our exchanges are coming in to us in flood tide. Why is it that the New York papers come so irregularly? Several of the nost important of them reach us only semioccasionally.

The Fruits of Emancipation.

If the voice of reason is vain to arrest the frantic spirit of Abolition fanaticismthe lessons daily to be drawn from the results of all experiments of emancipation, should teach the wickedness and folly of repeating such a disastrous policy. To the bloody saturnalia of St. Domingo, and the wanton waste of all the fertile fields of Jamaica, another example is now added in the convention for a reduction of limits, and Martinique. We clip this account from a Post, whose editor takes the " poetic license" of unlimited abuse of slavery, and laudations of a liberty leading to a perpetual recurrence of such scenes as those described below.

The blessings of such freedom are great indeed, to both races-and it must gladden all philanthropic hearts to find such a conform of perfect equality...

The decrees of Omnipotence can never be violated, or rudely interfered with, exin both houses of Congress, and as the whole cept under penalties as stern, and sufferings prospect of an adjustment mainly hangs on as great, as those which have attended West

Important from Martinque—Insurrection of negroes,
Burning of St. Pierre.

Capt. Currie, of the brig W. J. Walson, which arrived this morning from Ponce, Porto Rico, informs us that while he was at that place he saw letters, which were dated at St. Pierre, Martinique, the 20th of May, and which were written by well known merchants, stating that the negroes of the Island had risen upon the whites and set fire to the town. The conflagration of the town. of the Island had risen upon the whites and set fire to the town. The conflagration of the town, it was supposed, was the signal for a general insurrection of the colored people throughout the whole Island. It was set on fire at three different places, and the fire consumed some one hundred buildings, before it could be suppressed. All the white citizens of the place who were able to bear arms, were enrolled in the militia, and martial law was declared, while large bodies of negroes, from the surrounding districts, had collected about the the surrounding districts, had collected

city.
At the last advices, some of the negroes had been captured, and were then undergoing trial, previous to their being shot. But their depreda-tions had not yet ceased, and the greatest alarm

accept it "if it can be obtained." But, as if for the very purpose of preventing it from Windward Islands, in the Carribbean Sea, has being obtained, the Union expresses the opinion that it cannot, and, as if to induce opinion that it cannot, and, as if to induce tenths, were blacks. This disproportion of number between the whites and blacks is so great, that if any serious insurrection of one rac against another, has been attempted, it must lea

o frightful carnage and disaster. An odious form of slavery prevailed on the Island ernment of February. Since then the whole pop-ulation has been allowed a representative in the

The Willis "Rappings," and the Forrest "Knockings."

The New York papers continue to pour forth in prodigal profusion cards, notes, and comments on these mysterious proceedings; the explanations of which are so very various. The friends of Mr. Forrest who stood by to see the "gutta percha" well laid on, declare that due notice of the assault was given to Mr. Willis. Per contra, Mr. Willis swears point blank that no notice was given, but that he was stricken from behind, and knocked down, before he knew he was in the presence of the great tragedian, about to enact the Congress of the United States in their We do not overlook the profession that Othello. In this statement our Cassio is confirmed by a "lady;" and also by "a nurse and a child," calm spectators of the fray; and issue is joined between the parties thereupon on a point of veracity.

> If Forrest, who is a remarkably athletic man, did take this unfair advantage of Willis, who, under no circumstances, would be able to compete with him in brute strength, no provocation could palliate such cowardly conduct. He who rights his wrong with his own hand, under the impulse of ungovernable passion, resorting to that "wild justice," as Lord Bacon calls revenge, may command the sympathies even of those who deem him morally wrong; but waylaying an enemy without warning never can be tolerated in this country by honorable men. Mr. Forrest should take steps to clear himself of this imputation if untrue; it is due to his own reputation for manliness and courage. Of all the "rappings" and the "knockings" that have excited the people of New York, these seem to have made the strongest im-

The complaint of Forrest was that Mr. Willis came like the mysterious visiters in Poe's poems-

"Softly rapping, gently tapping

And in consequence of those mysterious rappings his knockings on that rapper origi-

Thus the case stands at present; but intimations are thrown out, that "coffee for one physical inequalities between the parties. As considerable notoriety, however, has been given to this intention, the police and anxious fair fame of a lady is unhappily implicated. A carefully condensed synopsis of each and a most unfortunate domestic difficulty

> Sceing Editors for Libel .- At New York, on Suring Editors for Libel.—At New York, on Thursday, Albert C. Oatman obtained against Greeley & McElrath, a suit for alleged libel, in publishing a police report that Mr. Oatman had been arrested on a charge of larceny, a verdict for 6 cents damages and 6 cents costs.
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> The complaint against the proprietors of the Philadelphia Sun, of libel, brought by an Alderman whose public conduct was censured by that print, has been dismissed by the Grand Jury.